IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO. 533 OF 2004

WITH

ARBITRATION PETITION NO. 534 OF 2004

Ashok Layland Finance. .. Petitioner.

vs.

Mudulluru Ramchandra Raju

& Anr. .. Respondents.

Mr. K.K. Shroff i/by Mustafa Motiwala

for petitioner.

M. D.D. Palav for respondents.

CORAM : S.U. KAMDAR, J.

DATE : 23RD DECEMBER, 2004

P.C.

1. The learned counsel for the respondent states that on 1.12.2004 a petition under section 9 of the Arbitration and Conciliation Act, 1996 has been filed by the respondent before the City Civil Court at Chennai. The present petition is also filed under section 9 of the Arbitration and

Conciliation Act, 1996. But the same is filed on 4.12.2004. In view of the provisions of section 42 of the Arbitration and Conciliation Act, 1996, the present petitions cannot be sustained in view of the prior proceedings filed in the City Civil Court at Chennai. In view thereof, both the petitions are dismissed for want of jurisdiction.